

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division
In Admiralty**

In the Matter of COEYMANS MARINE
TOWING, LLC D/B/A CARVER MARINE
TOWING as Owner and Operator of M/T
Mackenzie Rose, (IMO No. 8968765), *et al.*

Civil Action No. 2:24-cv-00490-MSD-LRL

**NORFOLK AND PORTSMOUTH BELT LINE RAILROAD
COMPANY'S MOTION TO COMPEL**

Claimant/Respondent Norfolk and Portsmouth Belt Line Railroad Company ("Belt Line"), by counsel, pursuant to Fed. R. Civ. P. 37 and Local Rule 37, moves this Court to compel Petitioner Coeymans Marine Towing, LLC d/b/a Carver Marine Towing ("Carver") to provide full and complete answers and responses to the Belt Line's (1) First Set of Requests for Production of Documents ("1st RFPs"), (2) Second Set of Requests for Production of Documents ("2nd RFPs"), and (3) First Set of Interrogatories ("1st ROGs"), and to overrule Carver's improper objections.

Pursuant to Local Rule 37(B), given upcoming depositions of Carver personnel noticed for April 28-30, 2025, the Belt Line seeks expedited briefing, with Carver's opposition brief due in 7 days instead of 14 days, and the Belt Line's reply due in 3 days instead of 6 days.

In support of this Motion, the Belt Line submits the accompanying Brief. Pursuant to Local Rule 37, counsel for the Belt Line represents that the parties have met and conferred multiple times and have been unable to resolve these issues. A proposed Order is attached.

WHEREFORE, the Belt Line respectfully requests that this Court enter an Order:

- (1) striking all of Carver's objections to the 1st RFPs as waived under EDVA Local Rule 26;
- (2) striking all of Carver's "General Objections" as improper under EDVA Local Rule 26;

- (3) striking all of Carver's objections to 1st RFPs 4, 16, 17, 20, 21, 22, 33, and 34; 2nd RFPs 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, and 14; and 1st ROGs 4, 7, 11, 17, 18, 19, 20, and 21 as improper and/or baseless under the law;
- (4) ordering Carver to immediately provide full and complete answers and responses to the Belt Line's 1st RFPs, 2nd RFPs, and 1st ROGs, particularly given upcoming depositions;
- (5) overruling Carver's privilege objections for lack of a privilege log;
- (6) compelling Carver to produce its complete insurance policies under Rule 26(a)(1);
- (7) awarding the Belt Line its costs and fees associated with this Motion; and
- (8) granting the Belt Line all other just and necessary relief.

Dated: March 31, 2025

NORFOLK AND PORTSMOUTH BELT
LINE RAILROAD COMPANY

By: /s/ W. Ryan Snow

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CERTIFICATE OF SERVICE

I certify that on this 31st day of March 2025, I served the foregoing by electronic mail on the following:

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